



ColdwellBankerHomes.com

**KESSELER WOODS:** See below for May 2017 request to substitute off-site affordable units in this building for affordable units required on-site (LaGrange Street, South Newton) by 2015 special permit.

## 219 Commonwealth Ave, Newton, MA 02467

\$9,200,000

Sold | Closed | Multi-Family | 28 Units | 32 Total Beds | 0.24 Acres



### Full Property Details

**Sold For:** \$9,200,000  
**Taxes:** \$54,500 (2016)  
**Status:** Closed  
**Type:** Multi-Family  
**MLS ID:** 72035046  
**Added:** 329 day(s) ago  
**Viewed:** 498 times

### Property History

219 Commonwealth Ave, Newton, MA  
Sold at **\$9,200,000** on 11/15/16  
Listed at **\$8,600,000** on 7/8/16

6/2/2017

219 Commonwealth Ave, Newton, MA 02467 - MLS 72035046 - Coldwell Banker

Rare once in a generation investment opportunity. "The Chestnut Hill" at 219 Commonwealth Ave a classic 28-unit building in one of Greater Boston's premier rental locations. 100% occupied with an incredible rental history of near zero vacancy, this Tudor Revival style building sits just moments from the entrance to Boston College and the MBTA Green Line. It's strong mix of primarily one bedroom units (plus a few studios and 2 BRs and one spacious duplex 3 BR unit) and desirable location have the building pre-rented for the coming year with many tenants staying for multiple years. Many nits boast views of the Boston Marathon route (which runs right by the front door on Comm Ave) and the Waban Hill Reservoir next door. Hardwood floors,

### Interior

**Number of Rooms:** 86  
**Fireplace:** Yes  
**Number of Fireplaces:** 1  
**Flooring:** Wood

### Rooms

#### BATHROOMS

**Total Bathrooms:** 29  
**Full Bathrooms:** 29

#### BEDROOMS

**Total Bedrooms:** 32

### Unit Information

#### UNIT 1

**Bedrooms:** 3

#### UNIT 2

**Bedrooms:** 2

#### UNIT 3

**Bedrooms:** 1

#### UNIT 4

**Bedrooms:** 1

### Exterior

**Exterior Features:** Professional Landscaping

### Parking

**Parking:** Off-Street Parking

### Lot Features

**Lot Size (Acres):** 0.24  
**Lot Size (Sq. Ft.):** 10,347  
**Frontage:** Public  
**Zoning:** MR1  
**Lot Description:** Corner, Paved Drive

### Structural Information

**Architectural Style:** 5-9 Family  
**Basement:** Yes  
**Basement Desc.:** Finished  
**Square Feet:** 14,560  
**Year Built:** 1899

### Financial Considerations

**Tax Amount:** \$54,500  
**Tax Year:** 2016

Property SBL 63008 0019  
 Property Address 219 COMMONWEALTH AVE  
 Land Use \* 112  
 Land Use Descr \* APARTMENT (9-99 UNITS)

Tax Bill Number 2728140  
 Zoning \*\* MR1  
 Map ID 076NE  
 Neighborhood 4

Sale Date 11/15/2016  
 Sale Price \$9,200,000  
 Legal Reference 001500/0002  
 Current Owner  
 219 COMM LLC

Prior Sale Date 4/1/1993  
 Prior Sale Price \$950,000  
 Prior Legal Reference 001110/0096  
 Prior Owner  
 ZUSSMAN AMY TR

300 INDEPENDENCE DR  
 CHETNUT HILL, MA 02467

**Commercial Information**

Style Apartments  
 Story Height 3.5  
 Year Built 1880  
 Recent Field Visit 5/31/2016  
 Prior Field Visit 2/18/2015

**Commercial Information**

Gross Bldg Area 20,800 sq ft  
 Effective Area 18,720 sq ft  
 Bldg Area 14,560 sq ft  
 Total Apartments 29

**Assessment History**

FY 2017 \$4,820,500  
 FY 2016 \$4,758,200  
 FY 2015 \$4,758,200  
 FY 2014 \$3,889,300  
 FY 2013 \$3,889,300  
 FY 2012 \$3,936,300  
 FY 2011 \$3,422,300  
 FY 2010 \$3,353,800  
 FY 2009 \$3,353,800  
 FY 2008 \$3,353,800  
 FY 2007 \$2,587,800  
 FY 2006 \$2,555,500  
 FY 2005 \$2,323,200  
 FY 2004 \$1,800,000  
 FY 2003 \$1,800,000  
 FY 2002 \$1,800,000  
 FY 2001 \$1,410,000  
 FY 2000 \$1,410,000

**Land Information**

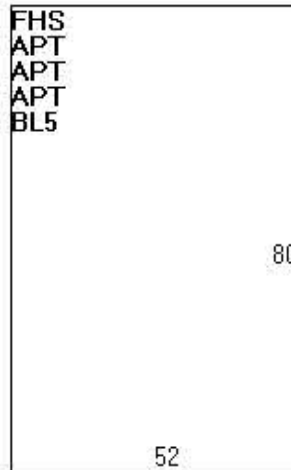
Lot Size 10,347 sq ft  
 Frontage 80 ft  
 Zoning MR1

**Apartment Information**

Studio 0  
 1 Bedroom 0  
 2 Bedroom 0  
 3 Bedroom 0  
 4 Bedroom 0  
 Mixed 2 Bedroom 0

**Detached Structures (Data to right of category)**

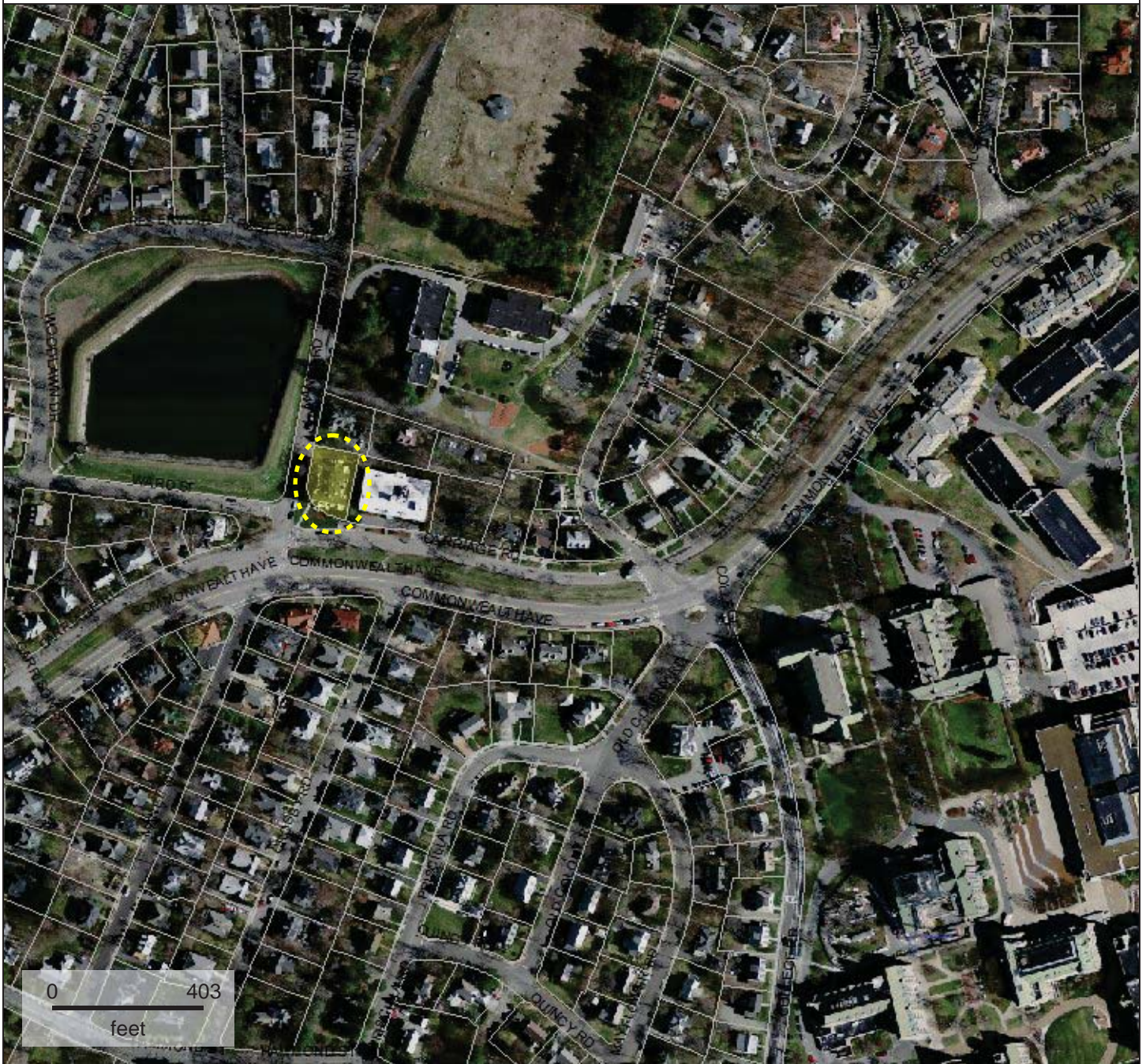
Detached Garage Area  
 Living Space in Garage  
 Shed Area  
 Tennis Courts  
 Swimming Pool  
 Cabana Area



Several small bays along perimeter

\* The land use and description listed here are for Assessing Department purposes based on historical records in the Assessing Department.  
 For an official ruling on the legal use of the property pursuant to the state building code and/or Newton Zoning Ordinances, contact the Inspectional Services Department.  
 \*\* For reference purposes only. Please check with Engineering Department for official zoning designation.  
 Date Printed Wednesday, April 12, 2017  
 Fiscal Year 2017 Tax Rates: Residential: \$11.12 Commercial: \$21.27  
 City of Newton Assessing Department Property Record Card

# City of Newton

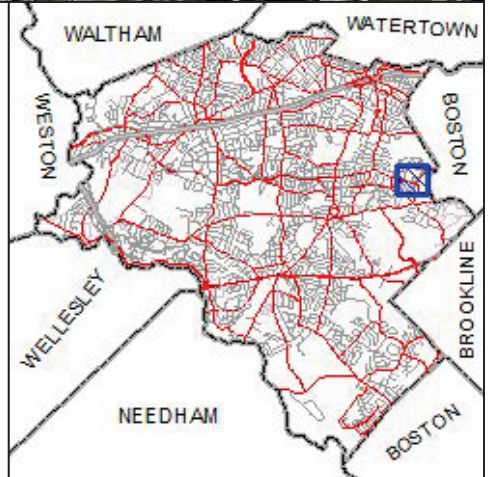


**Property ID:** 63008 0019  
**Address:** 219 COMMONWEALTH  
**Owner:** 219 COMM LLC



MAP FOR REFERENCE ONLY  
NOT A LEGAL DOCUMENT

Because of different update schedules, current property assessments may not reflect recent changes to property boundaries. Check with the Assessors' Office to confirm boundaries uses at the time of assessment.



# SPECIAL PERMIT APPLICATION

TO THE NEWTON CITY COUNCIL

The undersigned hereby makes application for permit to erect and use, to alter and use, or to make such uses as may be hereinafter specified of a building or buildings at the location and for the purpose hereinafter specified under the provisions of Chapter 30 of the Revised Ordinances, 2015, as amended, or any other sections

PLEASE REFERENCE SECTIONS OF THE ORDINANCES FROM WHICH RELIEF IS REQUESTED:  
Sections 5.11, 7.3, 7.4

PETITION FOR:  Special Permit/Site Plan Approval  
 Extension of Non-conforming Use and/or Structure  
 Site Plan Approval

STREET 179 Kessler Way WARD 8

SECTION(S) 82 BLOCK(S) 037 LOT(S) 0095

APPROXIMATE SQUARE FOOTAGE (of property) 640,847 s.f. ZONED MR-3

TO BE USED FOR: Special Permit #102-06(15) Amendment

CONSTRUCTION: N/A

EXPLANATORY REMARKS: See attached narrative

The undersigned agree to comply with the requirements of the Zoning Ordinance and rules of the Land Use Committee of the City Council in connection with this application.

PETITIONER (PRINT) Kessler Woods LLC

SIGNATURE *By: [Signature]*

ADDRESS 300 Independence Drive, Chestnut Hill, MA

TELEPHONE 617-469-6500 Email mlevin@chestnuthillrealty.com

ATTORNEY Frank G. Stearns

ADDRESS c/o Holland & Knight LLP, 10 St. James Avenue, Boston, MA 02116

TELEPHONE 617-854-1406 Email frank.stearns@hklaw.com

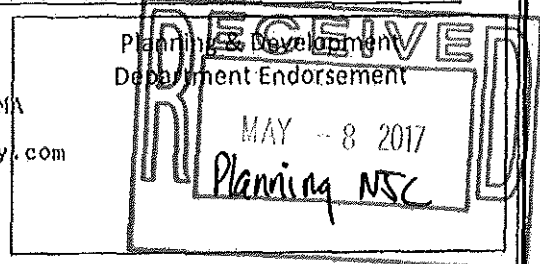
PROPERTY OWNER Kessler Woods LLC

ADDRESS 300 Independence Drive, Chestnut Hill, MA

TELEPHONE 617-469-6500 Email mlevin@chestnuthillrealty.com

SIGNATURE OF OWNER *[Signature]*

*Dir. of Development*



ATTACHMENT TO SPECIAL PERMIT APPLICATION FOR REQUEST TO AMEND  
BOARD ORDER # 102 -06 (15)

KESSELER WOODS MULTI FAMILY PROJECT

179 Kessler Way

The Kessler Woods Project is an 88 unit multi-family building under construction pursuant to Special Permit Board Order # 102-06 (15). The Board Order Condition # 2 requires that the 15% Inclusionary Zoning requirement (NZO sec. 5.11.) be met at the project site. This Zoning Review Application requests that the City Council amend Board Order # 102- 06 (15) to allow the Inclusionary Zoning requirement to be met using the alternative provision of NZO sec. 5.11.6.

With the concurrence of the City Council through the special permit amendment, the Proponent intends to contribute cash to perform an off-site rehabilitation of the building at 219 Commonwealth Avenue so that the inclusionary dwelling units at 219 Commonwealth Avenue can be permanently income and rent restricted to comply with the Inclusionary Zoning. The project proponent will enter into a Development Agreement with a non-profit housing development organization as stipulated by NZO sec. 5.11.6. The building at 219 Commonwealth Avenue is an existing multi-family apartment building constructed in 1899, prior to zoning in Newton. The rehabilitation of the building at 219 Commonwealth Avenue will be "by right" as it will be limited to improvements to the existing units and common areas in the building. There will be no change in use of the 219 Commonwealth Avenue building and there will be no extension, enlargement or reconstruction of the building or the use.

## 219 Commonwealth Avenue Affordability Levels - Proposed (By Floor)

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Unit	# BR	SF	Level of Aff.
B2	studio	298	65%
11	studio	308	65%
15	studio	311	65%
B1	1	455	65%
B3	1	698	65%
5	1	661	65%
10	1	523	80%
14	1	522	80%
21	1	538	65%
22	1	520	65%
25	1	554	65%
26	1	523	65%
31	1	574	120%
32	1	516	80%
35	1	572	65%
36	1	524	80%
40	1	789	120%
41	1	454	65%
42	1	652	120%
44	1	784	120%
45	1	444	65%
46	1	682	120%
B4	2	743	80%
12	2	915	120%
16	2	1,050	80%
20	2	806	120%
24	2	795	120%
30	2	926	120%
34	2	926	120%
<b>TOTAL</b>	<b>29</b>	<b>18,063</b>	
<i>Average</i>		623	

**Note:** Unit 16 is currently a 4BR, and will be split into 5 and 16; Units 20 and 24 are currently 1BR, and will be made into 2BR units.



Setti D. Warren  
Mayor

City of Newton, Massachusetts  
Department of Planning and Development  
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Barney S. Heath  
Director

## ZONING REVIEW MEMORANDUM

Date: May 8, 2017

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official  
Alexandra Ananth, Chief Planner for Current Planning

Cc: Frank Stearns, Attorney  
Chestnut Hill Realty, Applicant  
Barney S. Heath, Director of Planning and Development  
Ouida Young, Associate City Solicitor

RE: Request to amend Board Order 102-06(12) to allow off-site fulfilment of the inclusionary housing provisions

Applicant: Chestnut Hill Realty	
Site: Lot H-1, LaGrange Street	SBL: 82037 0095
Zoning: MR3	Lot Area: 640,847 square feet
Current use: 88-unit multi-family dwelling	Proposed use: No change

### BACKGROUND:

The subject property is a large parcel located on LaGrange Street within the Kessler Woods subdivision created in 2004 and recorded in 2005. Special permit Board Order #102-06(16) allows for construction of an 88-unit multi-family residential building. Condition #2 of the board order requires that the 15% Inclusionary Zoning requirement of Section 5.11.4 be met on the project site. The applicant seeks an amendment to this condition to allow the requirement to be met off-site per Section 5.11.6.

The following review is based on plans and materials submitted to date as noted below.

- Zoning Review Application, prepared by Franklin Stearns, K & L Gates, attorney, submitted 4/25/2017
- Board Order #102-06(12), dated 11/17/2014
- Board Order #102-06(15), dated 4/21/2015

**ADMINISTRATIVE DETERMINATIONS:**

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1. Condition #2 of Board Order #102-06(15) requires that the 88-unit multi-family dwelling provide 13 deed restricted inclusionary housing units on site, as shown on the approved plans. These 13 units include six units at 50% of area median income; six units at 80% are a median income; and one unit at 65% of area median income.

Section 5.11.6 states that the inclusionary units required in Section 5.11.4 may be met by providing units off-site where an applicant has entered into an agreement with a non-profit housing development organization. The applicant has entered into an agreement with B'nai B'rith Housing, a non-profit providing affordable housing opportunities to seniors, to accommodate the required affordable housing units for the Kessler project at 219 Commonwealth Avenue, an existing 29-unit multi-family dwelling built in 1899 to be rehabilitated. The rehabilitation of 219 Commonwealth Avenue will be by right and limited to improvements to the existing units and common areas of the building, with no changes, extension, enlargement or reconstruction of the existing nonconforming building or use. All 29 of the units will be permanently income and rent restricted.

<b>Zoning Relief Required</b>		
<i>Ordinance</i>		<i>Action Required</i>
§5.11.4, §5.11.6	To amend Board Order #102-06(15) to allow for the provisions of the Inclusionary Housing requirements to be met off-site	Amend Board Order #102-06(15)